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7 UNITED STATES DISTRICT COURT  
8 WESTERN DISTRICT OF WASHINGTON  
9 AT SEATTLE

10 MATTHEW LAYNE  
11 WELLINGTON,

Petitioner,

12 v.

13 JEFFREY A. UTTECHT, et al.,

14 Respondents.  
15

CASE NO. C20-6238JLR

ORDER ADOPTING REPORT  
AND RECOMMENDATION

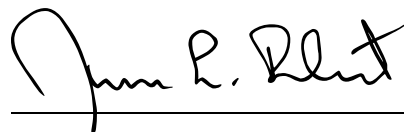
16 This matter come before the court on the Report and Recommendation of United  
17 States Magistrate Judge J. Richard Creatura. (R&R (Dkt. # 12).) Having carefully  
18 reviewed the foregoing, all other relevant document, and the applicable law, the court  
19 ADOPTS the Report and Recommendation (Dkt. # 12) and DISMISSES Mr.  
20 Wellington's federal habeas petition with prejudice.

21 A district court has jurisdiction to review a Magistrate Judge's report and  
22 recommendation on dispositive matters. Fed. R. Civ. P. 72(b). "The district judge must

1 determine de novo any part of the magistrate judge's disposition that has been properly  
2 objected to.” *Id.* The court reviews de novo those portions of the report and  
3 recommendation to which specific written objection is made. *United States v.*  
4 *Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc). When no objections are  
5 filed, the court need not review de novo the report and recommendation. *Wang v.*  
6 *Masaitis*, 416 F.3d 992, 1000 n.13 (9th Cir. 2005).

7 Here, no party has objected to Magistrate Judge Creatura’s Report and  
8 Recommendation. (*See* Dkt.) Thus, the court need not review de novo the Report and  
9 Recommendation. *See Wang*, 416 F.3d at 1000. Moreover, the court has examined the  
10 record before it, including the Report and Recommendation, and finds Magistrate Judge  
11 Creatura’s reasoning persuasive in light of that record. Accordingly, the court ADOPTS  
12 the Report and Recommendation (Dkt. # 12) in its entirety, DISMISSES Mr.  
13 Wellington’s federal habeas petition with prejudice, and DENIES the issuance of a  
14 certificate of appealability. The Clerk is DIRECTED to send copies of this order to the  
15 parties and to Magistrate Judge Creatura.

16 Dated this 29th day of June, 2021.

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19 JAMES L. ROBART  
20 United States District Judge  
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